

HOUSE JOURNAL**THIRD DAY***** * *****MORNING SESSION**

The House was called to order by Speaker Stephens at 10:00 a.m.

Roll call showed all members present except Representative Michael Styler; absent; and Representative Margaret Dayton, excused.

Pledge of Allegiance and prayer by Representative Neal A. Hansen.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 21, 2003

The Senate passed **S.B. 4**, CLEAN SPECIAL FUEL TAX CERTIFICATE - EXEMPTION, by Senator D. Steele, and it is transmitted for consideration; and

The Senate passed **S.B. 5**, RETIREMENT AND INDEPENDENT ENTITIES COMMITTEE AMENDMENTS, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 15**, WORKFORCE SERVICES AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed **S.J.R. 1**, JOINT RESOLUTION - RULES REVISIONS RENAMING AN APPROPRIATIONS SUBCOMMITTEE, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.J.R. 2**, RESOLUTION REAPPOINTING GENERAL COUNSEL, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 4**, **S.B. 5**, **S.B. 15**, **S.J.R. 1**, and **S.J.R. 2**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 21, 2003

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 51**, HISTORIC PRESERVATION IN GENERAL PLANS, by Representative R. Becker; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 64**, PUBLIC WATER SYSTEMS AMENDMENTS, by Representative R. Barrus, with the following amendments:

1. Page 2, Line 40:

After line 40 insert:

“(5) (a) In an election held pursuant to Subsections (1)(b)(i), (ii), or (iii), where a majority of the voters approve the addition or removal of fluorine to the public water supplies, no election to consider removing or adding fluorine from the public water supplies shall be held for a period of five years from the date of approval by the majority of voters. (b) The election to consider removal or addition shall occur in an even-numbered year.”

Kory M. Holdaway, Chair

Reports filed. On motion of Representative Holdaway, the reports of the Political Subdivisions committee were adopted.

H.B. 51 and **H.B. 64**, as amended, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker:

January 21, 2003

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 56**, BOW HUNTER SAFETY, by Representative N. Hansen, with the following amendments:

1. Page 1, Line 27:

After “state” delete “or nationally”; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 182**, AIR CONSERVATION ACT AMENDMENTS, by Representative M. Morley.

Craig W. Buttars, Chair

Reports filed. On motion of Representative Buttars, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

H.B. 56, as amended, and **H.B. 182**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker: January 21, 2003

The Government Operations Committee reports a favorable recommendation on **H.B. 21**, STATE BUILDING OWNERSHIP AUTHORITY RECODIFICATION AND REVISION, by Representative N. Hansen; and

The Government Operations Committee reports a favorable recommendation on **H.B. 187**, CAMPAIGN CONTRIBUTION RESTRICTIONS, by Representative N. Hansen; and

The Government Operations Committee reports a favorable recommendation on **H.B. 26**, STATE GENERAL OBLIGATION BOND ACT, by Representative R. Bigelow, with the following amendments:

1. Page 5, Line 142:
After "accounts" insert "." and delete the rest of the line.
2. Page 5, Lines 143-146:
Delete lines 143-146
3. Page 5, Line 147:
After "The" delete "commission" and insert "state treasurer" and after "shall" delete ". by resolution"
4. Page 9, Line 265:
After "notes;" insert "and"
5. Page 9, Line 267:
After "notes" delete ": and" and insert "."
6. Page 9, Lines 268-270:
Delete lines 268-270; and

The Government Operations Committee reports a favorable recommendation on **H.B. 168**, FILLING MIDTERM VACANCIES IN THE LEGISLATURE, by Representative R. Becker; and

The Government Operations Committee reports a favorable recommendation on **H.B. 61**, CANDIDATES NOT AFFILIATED WITH A PARTY, by Representative M. Noel.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Government Operations committee were adopted.

H.B. 21, H.B. 187, H.B. 26, as amended, **H.B. 168**, and **H.B. 61**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker: January 21, 2003
The Judiciary Committee reports a favorable recommendation on **H.B. 178**, FIREARMS AMENDMENTS, by Representative T. McCartney; and

The Judiciary Committee reports a favorable recommendation on **H.B. 62**, EMERGENCY RESPONSE COSTS, by Representative B. Goodfellow, with the following amendments:

1. Page 3, Line 64:
Insert: "(iv) not take precedence over victim restitution."

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

H.B. 178 and **H.B. 62**, as amended, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker: January 21, 2003
The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 14**, TOURISM PROMOTION PROGRAMS, by Representative S. Allen; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 174**, UNEMPLOYMENT INSURANCE FRAUD AMENDMENTS, by Representative T. McCartney.

David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

H.B. 14 and **H.B. 174**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker: January 21, 2003
The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 74**, UNAUTHORIZED ENTRY ON SCHOOL BUS

PROHIBITED, by Representative N. Hendrickson, with the following amendments:

1. Page 1, Line 26:
After Line 26 insert:
“(i) is not a peace officer acting within the scope of his or her authority as a peace officer.”
2. Page 1, Line 27:
Delete “(i)” and insert “(ii)”
3. Page 2, Line 29:
Delete “(ii)” and insert “(iii)”
4. Page 2, Line 31:
Delete “(iii)” and insert “(iv)”; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 47**, FIRE PREVENTION AMENDMENTS, by Representative J. Murray.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

H.B. 74, as amended, and **H.B. 47**, read the second time by short title and placed on the calendar for third reading.

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Mr. Speaker: January 21, 2003

The Transportation Committee reports a favorable recommendation on **H.B. 55**, TOW TRUCK REQUIREMENTS, by Representative J. Gowans.

Joseph G. Murray, Chair

Report filed. On motion of Representative Murray, the report of the Transportation committee was adopted.

H.B. 55, read the second time by short title and placed on the calendar for third reading.

**INTRODUCTION OF BILLS
ENFORCEMENT PROCEDURE
AMENDMENTS OF WELL DRILLERS**

H.B. 91

Darin G. Peterson

THIS ACT MODIFIES THE ADMINISTRATIVE PROCEDURES ACT TO EXEMPT STATE AGENCY ACTIONS, OR JUDICIAL REVIEW OF THOSE

ACTIONS, RELATING TO WELL DRILLER LICENSES, PERMITS, REGISTRATION, AND CONSTRUCTION STANDARDS FROM THE ADMINISTRATIVE PROCEDURES ACT, read the first time by short title and referred to the Rules Committee.

SCHOOL FUNDS AMENDMENTS

H.B. 92

Bradley G. Last

THIS ACT MODIFIES PROVISIONS RELATING TO THE STATE SYSTEM OF PUBLIC EDUCATION AND SCHOOL AND INSTITUTIONAL TRUST LANDS BY CONFORMING STATUTES ON THE PERMANENT STATE SCHOOL FUND AND UNIFORM SCHOOL FUND WITH THE UTAH CONSTITUTION. THIS ACT PRESCRIBES WHAT REVENUES SHALL BE USED TO FUND THE SCHOOL LAND TRUST PROGRAM. THIS ACT HAS AN IMMEDIATE EFFECTIVE DATE, read the first time by short title and referred to the Rules Committee.

SUSPENSION OF DRIVING PRIVILEGES FOR HABITUAL TRUANTS

H.B. 93

Duane E. Bourdeaux

THIS ACT MODIFIES PROVISIONS IN THE JUVENILE CODE RELATING TO DISPOSITIONS. IT PROVIDES THAT A MINOR FOUND HABITUALLY TRUANT BY THE JUVENILE COURT MAY HAVE HIS DRIVING PRIVILEGES SUSPENDED FOR A YEAR OR DELAYED IN THE CASE OF A MINOR NOT YET ELIGIBLE TO DRIVE, read the first time by short title and referred to the Rules Committee.

UTAH CONTROLLED SUBSTANCES - EXTRACTION AND REDUCTION LABS

H.B. 94

DeMar Bud Bowman

THIS ACT MODIFIES THE CLANDESTINE DRUG LAB ACT TO INCLUDE THE OFFENSE OF PREPARING A SUBSTANCE OR PACKAGING A SUBSTANCE WITH THE INTENT THAT THE SUBSTANCE BE USED IN THE MANUFACTURE OF SPECIFIED ILLEGAL CONTROLLED SUBSTANCES, read the first time by short title and referred to the Rules Committee.

SNOW COLLEGE RICHFIELD CAMPUS NAME CHANGE

H.B. 161

Bradley T. Johnson

THIS ACT MODIFIES PROVISIONS OF THE STATE SYSTEM OF HIGHER EDUCATION CODE BY CHANGING THE NAME OF SNOW

COLLEGE SOUTH TO THE SNOW COLLEGE RICHFIELD CAMPUS, read the first time by short title and referred to the Rules Committee.

UTAH ENERGY OFFICE AMENDMENTS

H.B. 202

Stephen H. Urquhart

THIS ACT MODIFIES THE UTAH NATURAL RESOURCES ACT TO ADDRESS THE ENERGY-RELATED DUTIES OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES AND THE UTAH ENERGY OFFICE AND TO MAKE TECHNICAL CHANGES. THIS ACT HAS A SPECIAL EFFECTIVE DATE. THIS ACT HAS A COORDINATION CLAUSE, read the first time by short title and referred to the Rules Committee.

RESIDENTIAL MORTGAGE REGULATORY COMMISSION

H.B. 203

Gordon E. Snow

THIS ACT MODIFIES UTAH RESIDENTIAL MORTGAGE PRACTICES ACT. THIS ACT PROVIDES THAT THREE MEMBERS OF THE RESIDENTIAL MORTGAGE REGULATORY COMMISSION SHALL HAVE AT LEAST THREE YEARS OF EXPERIENCE IN TRANSACTING THE BUSINESS OF RESIDENTIAL MORTGAGE LOANS, AND ONE MEMBER OF THE COMMISSION SHALL BE FROM THE GENERAL PUBLIC. THIS ACT TAKES EFFECT ON JULY 1, 2004, read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.R. 4, HOUSE RULES RESOLUTION - WITNESS OATHS, read the third time by short title and placed on its final passage.

H.R. 4 then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Adams	Alexander	S. Allen	Anderson
Barrus	Becker	Bennion	Bigelow
Bird	Bourdeaux	Bowman	Bryson
Buffimire	Bush	Buttars	Buxton
Christensen	D. Clark	D. Cox	Daniels
Dee	Dillree	Donnelson	Dougall

Duckworth	Dunnigan	Ferrin	Ferry
Goodfellow	Gowans	Hansen	Hardy
Harper	Hendrickson	Hogue	Holdaway
Hughes	E. Hutchings	B. Johnson	Jones
King	Kiser	Last	Lawrence
Litvack	Lockhart	Love	Mascaro
McCartney	McGee	Morgan	Morley
Moss	Murray	Newbold	Noel
Pace	Parker	Peterson	Philpot
Seitz	Shurtliff	G. Snow	Thompson
Ure	Urquhart	Wallace	Winn
M. Stephens			

Absent or not voting were: Representatives

Aagard	Biskupski	S. Clark	Curtis
Dayton	Styler		

H.R. 4 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

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H.B. 180, TRAUMA REGISTRY DATA, read the third time by short title and placed on its final passage.

H.B. 180 then passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Adams	S. Allen	Anderson	Barrus
Becker	Bennion	Bigelow	Bird
Biskupski	Bourdeaux	Bowman	Bryson
Buffmire	Bush	Buttars	Buxton
Christensen	D. Clark	D. Cox	Curtis
Daniels	Dee	Dillree	Donnelson
Dougall	Duckworth	Dunnigan	Ferrin
Ferry	Goodfellow	Gowans	Hansen
Hardy	Harper	Hogue	Holdaway
Hughes	E. Hutchings	B. Johnson	Jones
King	Kiser	Last	Lawrence
Litvack	Love	Mascaro	McCartney

McGee	Morgan	Morley	Moss
Murray	Newbold	Noel	Pace
Parker	Peterson	Philpot	Seitz
Shurtliff	G. Snow	Thompson	Urquhart
Wallace	Winn	M. Stephens	

Absent or not voting were: Representatives

Aagard	Alexander	S. Clark	Dayton
Hendrickson	Lockhart	Styler	Ure

H.B. 180 transmitted to the Senate for its consideration.

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H.B. 181, SECURITY REQUIREMENTS IN USE OF SOCIAL SECURITY NUMBERS, read the third time by short title and placed on its final passage.

On motion of Representative Holdaway, the House voted to circle **H.B. 181**.

COMMITTEE OF THE WHOLE

On motion of Representative Curtis, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Bhichai Rdattakul, President, Rotary International.

On motion of Representative Curtis, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

H.B. 4, VIATICAL SETTLEMENTS, read the third time by short title and placed on its final passage.

H.B. 4 then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Adams	Alexander	S. Allen
Anderson	Barrus	Becker	Bennion
Bigelow	Bird	Biskupski	Bourdeaux
Bowman	Bryson	Buffmire	Bush
Buttars	Buxton	Christensen	D. Clark
S. Clark	D. Cox	Curtis	Daniels

Dee	Dillree	Donnelson	Duckworth
Dunnigan	Ferrin	Ferry	Goodfellow
Gowans	Hansen	Hardy	Harper
Hogue	Holdaway	Hughes	E. Hutchings
B. Johnson	Jones	King	Kiser
Last	Lawrence	Litvack	Lockhart
Love	Mascaro	McGee	Morgan
Morley	Moss	Murray	Newbold
Noel	Pace	Parker	Peterson
Philpot	Seitz	Shurtliff	G. Snow
Thompson	Urquhart	Wallace	Winn

Voting in the negative was: Representative
M. Stephens

Absent or not voting were: Representatives
Dayton Dougall Hendrickson McCartney
Styler Ure

H.B. 4 transmitted to the Senate for its consideration.

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H.B. 12, UTAH OPTOMETRY PRACTICE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Bryson, the House voted to circle **H.B. 12**.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to adjourn until January 23, 2003, at 10:00 a.m.

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